

Telephone Slamming

What is Slamming?

The term slamming refers to any change in a customer's preferred provider(s) of telephone services. Illinois consumers may pre-select companies for all three types of available wire-line phone services: local, intra-LATA (also known as "local toll") and inter-LATA (also known as "long distance"). A slam occurs when one or any combination of these pre-selected services is changed to another company without the consumer's consent or authorization. The main set of rules and regulations which govern this practice originated with the Federal Communications Commission (FCC), and consumers may access the FCC's web-site documentation on slamming and read instructions on filing a complaint with that agency at:

The FCC's contact information:
Federal Communications Commission
Common Carrier Bureau -- Consumer Information Bureau
445 12th St., SW, Washington, DC 20554
(Voice) 1-888-225-5322 or (TTY) 1-888-835-5322

In addition to the protections offered by the FCC, the State of Illinois also has safeguards for consumers on this topic. Illinois initially enacted legislation designed to protect consumers from this practice in July of 1998. At the time, this new law gave the ICC and the Illinois Attorney General's Office new tools for combating such fraud, and it also outlined the acceptable means by which companies must either notify Illinois customers of changes/additions in their service and obtain proper verification of sales. In 2001, the legislature updated the law by strengthening it further, and the Governor's signature gave Illinois citizens even greater protections against this type of scam.

This powerful legislation also provides Illinois consumers with defenses against another form of telecommunications fraud known as "cramming," or the unauthorized addition of extra products and services to a customer's account, and billing without a proper sale of such services. For more information on cramming, please visit our [web-site document on this topic.](#)

If your computer cannot print out this web page, you may request a paper copy of the document by calling our hotline at 1-800-524-0795.

What are the acceptable ways my service(s) can be changed?

Customer Initiated

- Calling a toll free number expressly operated for the purpose of taking such calls from consumers. The consumer must call using the phone line which they want switched. The carrier then captures the electronic information that the consumer's phone line contains (similar to an advanced form of "caller ID") as a verification of the sale.

Company Initiated

- The telemarketer making the sale accesses an independent third-party verification service which records the sale and verifies that the consumer wants to make the switch. The third party verification must:
 - identify the subscriber;
 - confirm that the person on the call is authorized to make the change;
 - confirm that the subscriber wants the change;
 - identify the carriers affected by the change;
 - identify the phone number(s) to be changed; and
 - identify the type(s) of service to be changed.

The third party verifier may not market the carrier's services and they must conduct the verification in the same language used during the sale of service by the carrier. A copy of the verification must be saved for 2 years.

Document Initiated

- The company obtains a written or electronic Letter of Agency, or LOA, from the consumer. LOAs need to be separable from any sweepstakes entry forms, and should clearly contain:
 - the consumer's intent to change;
 - the consumer's information (phone number(s) to be changed, name as appears on phone bills, and address);
 - a statement that the consumer agrees to designate the new carrier as the agent to make the change; and
 - that the consumer understands that a fee for the change may be charged to the consumer.

Additionally, under the Illinois law on slamming, a company seeking to change a customer's pre-selected service(s) using either a written or electronic LOA needs to provide written notice to the consumer of the change if the company has not used the third-party independent verification method described above. The written notice must:

- be sent via first class mail, postage pre-paid;
- be a separate document from billing;
- be sent to the consumer no later than 10 days after the carrier has changed the service;
- be written in 10-point typeset or larger;
- be written in plain language that describes the change;
- contain a toll free number for the consumer to contact if they wish to cancel the change.

How do I protect myself from Slamming?

Like many other types of fraud, slamming is not completely preventable, and sometimes even occurs by accident. Regulators on both the State and Federal levels have worked to find a proper balance between strict protections while still retaining a consumer- and company-friendly set of rules for changes in pre-selected services. However, certain steps can be taken by consumers to make it harder for unauthorized changes to happen and to catch them when they have occurred:

- Be very cautious with telemarketers and other forms of sales. Remember that you have the power of choice on your side, and exercise it prudently. Get full details and read all documentation carefully before committing to anything. Make certain that the offer before you matches your individual residential or corporate needs.
- Check your mail. Most of us receive unsolicited junk mail from companies we don't recognize on occasion, but Illinois law requires that companies making changes in your service provide you with written notice if they have not verified the sale through an independent third party. If you receive a mailing from a company to "confirm the sale" or notify you that you have selected them, make certain that the mailing is accurate. The company should provide you with a toll free number to cancel the change if it is not correct.
- Some companies may send checks to consumers which contain language that provides for a change in service(s) upon endorsement. As with any other marketing contact, read everything carefully before taking action. These checks are allowed as LOAs as long as they contain all the information that a normal LOA must contain.
- Read your telephone bills and statements completely. Your best weapon against fraud is to remain informed. Know which companies you have pre-selected and write down any times when you or anyone who uses your phone may have accessed alternative carriers or services. Consumers may be billed legitimately for alternative providers when those services have been accessed on a casual basis – for example, calling card or collect calls placed on other networks or calls placed using 10-

10-xxx access. Such calls do not change your pre-selected carrier(s), but they do allow for billing from the accessed companies.

- Consumers can confirm their pre-selected carrier(s) at any time simply by dialing toll free 1-700-555-4141 from the phone line in question.
- Contact your local phone company to request a PIC restriction or PIC freeze that will make it harder for your service to be switched without your direct involvement. Under new FCC rules, you may select to restrict or freeze either or both of your local toll and long distance pre-selections. Remember that once you have restricted your account, you will need to contact the local company directly in order to make any changes.

Why won't a PIC Freeze or Restriction protect me completely?

Most telecommunications carriers have been assigned special numbers, or Carrier Identification Codes (CICs), to make it easier for computers to handle the proper routing of phone calls through your pre-selected carrier(s). The PIC freeze recognizes any attempt to change the pre-selected CIC for the carrier(s) of your choice and does not allow the change. You must contact your local company to first lift the freeze before a new carrier, and its attendant CIC, can be pre-selected to your account. Some companies that re-sell the services of other companies do not have their own CICs, and instead they use the one for the underlying network which they are re-selling. If one of these companies slams a consumer who already uses the underlying network (and CIC) that is the same as the re-seller, then the change can occur without any alteration of the CIC. In essence, the local company does not even know that a change has been attempted because the CIC remains the same.

What do I do if I'm slammed?

If any of your pre-selected services are changed without your permission, take action immediately by doing the following:

- Identify the slammer – often companies use third-party billing agents to submit their bill statements to consumers. Instead of the actual company that slammed you, your phone bill may contain the name and phone number for the billing agent.
- Once identified, contact the slammer to let them know that you did not want their services and you expect them to either credit or re-rate any charges you incurred with them. Under the FCC rules, customers do not have to pay a company for the first 30 days of service after a slam.
- Contact your local phone company to make them aware of the problem. Request that you be returned to the pre-selected carrier of your choice. If the slamming company has refused to address your concerns and they sent their billing statement through your local phone bill, ask the local phone company to remove or re-rate the charges from your phone bill. Ask the local company to waive any fees that you might have to pay for both the unauthorized change to the slammer and the change back to your preferred carrier(s)
- Contact your preferred carrier(s) to make certain that they restore you to the program rates which you had before the slam occurred. If your services were slammed, but the pre-selected CIC did not change according to your local company, you may need to request that your preferred carrier make the change back to them. This is because the actual slam occurred within the network of your preferred carrier, rather than on the system of your local company.
- Contact the ICC, Consumer Services Division. Our Consumer Counselors are available, Monday-Friday, 8:30-5:00PM, toll free within IL at 1-800-524-0795, TTY: 1-800-858-9277, or you may reach us by [e-mail](#) or by traditional mail to ICC, CSD, 527 E Capitol, Springfield, IL 62701. A counselor will record the complaint, review your situation and, depending on the circumstances, contact the companies involved to investigate the matter.
- Contact the [Illinois Attorney General's Office](#) to file a slamming complaint:

Office the Attorney General of Illinois
Consumer Protection Bureau
500 South Second Street
Springfield, IL 62706
800-243-0618
TTY: 877-844-5461

- [Contact the FCC](#) to file a complaint:

Federal Communications Commission
Common Carrier Bureau -- Consumer Information Bureau
445 12th St., SW, Washington, DC 20554
(Voice) 1-888-225-5322 or (TTY) 1-888-835-5322